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2. *Amendment of sections 3 and 5, Madras XXXIII of 1958.*—In section 3 and in the proviso to sub-section (3) of section 5 of the Madras Industrial Establishments (National and Festival Holidays) Act, 1958 (Madras Act XXXIII of 1958) hereinafter referred to as the principal Act), for the words, figures and letters " the 26th January and the 15th August ", the words, figures and letters " the 26th January, the 15th August and the 2nd October " shall be substituted.

3. *Amendment of section 11, Madras Act XXXIII of 1958.*—To section 11 of the principal Act, the following proviso shall be added, namely :—

" Provided that if in any industrial establishment the number of holidays for festivals which any employee is entitled to, on the date on which this Act comes into force, exceeds five, the employer may, subject to the provisions of sections 3, curtail a holiday of one whole day for one such festival as the Inspector may, in consultation with the employer and the employees, specify in respect of the industrial establishment ".

APPENDIX VII.

[*Vide* Item III (3) on page 83.]

L.A. Bill No. 18 *of* 1962.

(As passed by the Assembly.)

A Bill to provide for the extension of the term of office of members of local authorities in the State of Madras.

BE it enacted by the Legislature of the State of Madras in the Thirteenth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Madras Local Authorities (Extension of Term of Office of Members) Act, 1962.

(2) It shall come into force on such date as the Government may, by notification, appoint.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(1) 'casual vacancy' means a vacancy occurring otherwise than by efflux of time;

(2) 'Government' means the State Government;

(3) 'local authority' means—

(i) the Municipal Corporation of Madras, or

(ii) a municipal council, or

(iii) a panchayat, or

(iv) a panchayat union council;

(4) 'member' means a councillor or a member, as the case may be, of a local authority;

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(5) 'Proclamation of Emergency' means the proclamation issued under clause (1) of Article 352 of the Constitution on the 26th day of October 1962.

3. *Extension of the term of office of members of local authorities.*—Notwithstanding anything contained in the Madras City Municipal Corporation Act, 1919 (Madras Act IV of 1919, the Madras District Municipalities Act, 1920 (Madras Act V of 1920) and the Madras Panchayats Act, 1958 (Madras Act XXXV of 1958), the term of office of the members of every local authority as a whole which is due to expire at any time before the expiration of six months after the Proclamation of Emergency has ceased to operate, shall stand extended up to the expiration of six months aforesaid :

Provided that the Government may, by notification, for sufficient cause, direct that the term so extended be reduced by such period as may be specified in the notification, and the Government may, in the like manner, cancel or modify any such notification.

4. *No election to a newly constituted or reconstituted local authority or to fill any casual vacancy.*—Notwithstanding anything contained in the Acts referred to in section 3, no election shall, during the period between the date of the commencement of this Act and the expiration of six months after the proclamation of Emergency has ceased to operate or such earlier date as the Government may, by notification, specify in this behalf, be held—

(i) to any local authority directed to be newly constituted or reconstituted either before or after the date of the commencement of this Act;

(ii) to fill any casual vacancy in the office of any member of a local authority, whether such casual vacancy exists on, or occurs after, the date of the commencement of this Act.

5. *Power to remove difficulties.*—(1) If any difficulty aries in giving effect to the provisions of this Act or to the provisions of the Acts referred to in section 3 as modified by the provisions of this Act, the Government, may, as occasion may require, by order do anything which appears to them necessary for the purpose of removing the difficulty.

(2) Every order issued under sub-section (1) shall, as soon as possible after it is issued, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such order or both Houses agree that the order should not be issued, the order shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that order.